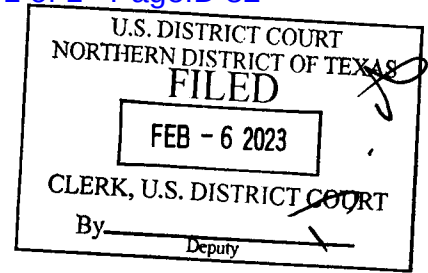


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



UNITED STATES OF AMERICA

Plaintiff,

v.

XAVIER DEWAYNE CUNNINGHAM

Defendant.


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2:22-CR-0101-Z-BR-(1)

**ORDER ADOPTING REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY**

On January 20, 2023, the United States Magistrate Judge issued a Report and Recommendation Concerning Plea of Guilty (“Report and Recommendation”) in the above referenced cause. Defendant Xavier Dewayne Cunningham filed no objections to the Report and Recommendation within the fourteen-day period set forth in 28 U.S.C. § 636(b)(1). The Court independently examined all relevant matters of record in the above referenced cause—including the elements of the offense, Factual Resume, Plea Agreement, and Plea Agreement Supplement—and thereby determined that the Report and Recommendation is correct. Therefore, the Report and Recommendation is hereby ADOPTED by the United States District Court. Accordingly, the Court hereby FINDS that the guilty plea of Defendant Xavier Dewayne Cunningham was knowingly and voluntarily entered; ACCEPTS the guilty plea of Defendant Xavier Dewayne Cunningham; and ADJUDGES Defendant Xavier Dewayne Cunningham guilty of Count One in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C). Sentence will be imposed in accordance with the Court’s sentencing scheduling order.

SO ORDERED, February 6, 2023.


MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE